

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:07-cv-1-RJC**

JAMES R. HANEY, SR.,)
)
Plaintiff,)
)
vs.)
)
MILES HELMS, et al.,)
)
Defendant.)
)

THIS MATTER is before the Court on its own Motion. On May 30, 2008, Magistrate Judge Keesler ordered that the Plaintiff show cause before June 30, 2008, why his case should not be dismissed and closed. Plaintiff has failed to respond within the requisite time and has not otherwise taken any other action in prosecution of this action.

NOW THEREFORE, IT IS ORDERED that pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, this matter is **DISMISSED WITHOUT PREJUDICE**.

Signed: July 15, 2008



Robert J. Conrad, Jr.
Chief United States District Judge

